AN ACT

relating to the liability of a volunteer audiologist, assistant in
audiology, speech-language pathologist, or assistant in
speech-language pathology.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subdivision (5), Section 84.003, Civil Practice
and Remedies Code, is amended to read as follows:

(5) "Volunteer health care provider" means an
individual who voluntarily provides health care services without
compensation or expectation of compensation and who is:

(A) an individual who is licensed to practice
medicine under Subtitle B, Title 3, Occupations Code;

(B) a retired physician who is eligible to
provide health care services, including a retired physician who is
licensed but exempt from paying the required annual registration
fee under Section 156.002, Occupations Code;

(C) a physician assistant licensed under Chapter
204, Occupations Code, or a retired physician assistant who is
eligible to provide health care services under the law of this
state;

(D) a registered nurse, including an advanced
nurse practitioner, or vocational nurse, licensed under Chapter
301, Occupations Code, or a retired vocational nurse or registered
nurse, including a retired advanced nurse practitioner, who is
eligible to provide health care services under the law of this state;

(E) a pharmacist licensed under Subtitle J, Title 3, Occupations Code, or a retired pharmacist who is eligible to provide health care services under the law of this state;

(F) a podiatrist licensed under Chapter 202, Occupations Code, or a retired podiatrist who is eligible to provide health care services under the law of this state;

(G) a dentist licensed under Subtitle D, Title 3, Occupations Code, or a retired dentist who is eligible to provide health care services under the law of this state;

(H) a dental hygienist licensed under Subtitle D, Title 3, Occupations Code, or a retired dental hygienist who is eligible to provide health care services under the law of this state;

(I) an optometrist or therapeutic optometrist licensed under Chapter 351, Occupations Code, or a retired optometrist or therapeutic optometrist who is eligible to provide health care services under the law of this state;

(J) a physical therapist or physical therapist assistant licensed under Chapter 453, Occupations Code, or a retired physical therapist or physical therapist assistant who is eligible to provide health care services under the law of this state;[ex]

(K) an occupational therapist or occupational therapy assistant licensed under Chapter 454, Occupations Code, or a retired occupational therapist or occupational therapy assistant
who is eligible to provide health care services under the law of
this state; or

(L) an audiologist, assistant in audiology, speech-language
pathologist, or assistant in speech-language pathology licensed under Chapter 401, Occupations Code, or a
tired audiologist, assistant in audiology, speech-language
pathologist, or assistant in speech-language pathology who is
eligible to provide health care services under the laws of this
state.

SECTION 2. The changes in law made by this Act apply only to
a cause of action that accrues on or after the effective date of
this Act. An action that accrues before the effective date of this
Act is governed by the law applicable to the action immediately
before the effective date of this Act, and that law is continued in
effect for that purpose.

SECTION 3. This Act takes effect September 1, 2009.
S.B. No. 1211

Randall Turpin
President of the Senate

J. Straus
Speaker of the House

I hereby certify that S.B. No. 1211 passed the Senate on April 15, 2009, by the following vote: Yeas 30, Nays 0.

Jake Ellwanger
Secretary of the Senate

I hereby certify that S.B. No. 1211 passed the House on May 27, 2009, by the following vote: Yeas 148, Nays 0, one present not voting.

Robert Haney
Chief Clerk of the House

Approved:

19 JUN '09

Rick Perry
Governor

Filed in the Office of the Secretary of State
2:00 PM 12 JUN 2009

Colby Horton